

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE iANTHUS CAPITAL HOLDINGS,  
INC. SECURITIES LITIGATION

No. 20-cv-03135-LAK  
No. 20-cv-03513-LAK

THIS DOCUMENT RELATES TO:  
Nos. 20-cv-03135 (Securities Class  
Action), 20-cv-03513 (Cedeno)

**NOTICE OF LEAD PLAINTIFF'S UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

PLEASE TAKE NOTICE that Lead Plaintiff Jose Antonio Silva (“Lead Plaintiff”), through Lead Plaintiff’s Counsel, on behalf of himself and the Settlement Class (as defined below), hereby move this Court under Federal Rule of Civil Procedure 23 for the entry of an order (the “Proposed Order”), substantially in the form attached as Exhibit A to the Stipulation of Settlement dated March 21, 2023 (the “Settlement Stipulation”):

- (1) preliminarily approving the proposed settlement as set forth in the Settlement Stipulation, attached as Exhibit 1 to the Declaration of Michael Grunfeld in support of this Motion (“Grunfeld Declaration”), resolving this Action against all Defendants in exchange for the payment of \$2.9 million for the benefit of the Settlement Class;
- (2) preliminarily certifying a class (the “Settlement Class”), for settlement purposes only, of all persons and entities who purchased or otherwise acquired iAnthus securities between May 14, 2018 and July 10, 2020, both dates inclusive, pursuant to domestic transactions, and were allegedly damaged thereby;
- (3) appointing A.B. Data, Ltd. as Claims Administrator;
- (4) approving the form and manner of disseminating notice to the Settlement Class;

- (5) scheduling a hearing to consider final approval of the Settlement and an award of attorneys' fees and expenses and a compensatory award to Lead Plaintiff; and
- (6) setting deadlines for the dissemination of notice, the submission of proofs of claim and requests for exclusion, the filing of objections, and the filing of Lead Plaintiff's and Lead Counsel's motion for final approval of the Settlement and applications for attorneys' fees and expenses and a compensatory award to Lead Plaintiff.

Lead Plaintiff bases this Unopposed Motion on this Notice of Motion, the Grunfeld Declaration, the Settlement Stipulation and all exhibits attached thereto, and Lead Plaintiff's supporting Memorandum of Law, all filed contemporaneously herewith, and all pleadings, records, and papers on file herein.

The Defendants do not oppose the relief Lead Plaintiff seeks. Accordingly, Lead Plaintiff requests that the Court enter the Proposed Order.

Dated: March 21, 2023

Respectfully submitted,

**POMERANTZ LLP**

By: /s/ Michael Grunfeld

Jeremy A. Lieberman

Michael Grunfeld

Brandon M. Cordovi

600 Third Avenue, 20th Floor

New York, NY 10016

P: (212) 661-1100

jalieberman@pomlaw.com

mgrunfeld@pomlaw.com

bcordovi@pomlaw.com

*Lead Counsel for Lead Plaintiff  
and the Settlement Class*

**BRONSTEIN, GEWIRTZ & GROSSMAN, LLC**

Peretz Bronstein  
Eitan Kimelman  
60 East 42nd Street, Suite 4600  
New York, New York 10165  
Telephone: (212) 697-8209  
Facsimile: (212) 697-7296  
Email: peretz@bgandg.com  
Email: eitank@bgandg.com

*Additional Counsel for Lead Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 21<sup>st</sup> day of March 2023, a true and correct copy of the foregoing was filed electronically and will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Michael Grunfeld  
Michael Grunfeld